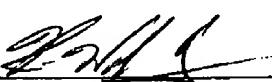
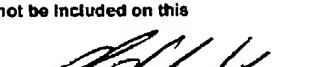


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<p>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</p> <p>I hereby certify that this correspondence is being transmitted by facsimile to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>October 13, 2006</u>, Facsimile No. (571) 273-8300.</p> <p>Signature </p> <p>Typed or printed name <u>Kin-Wah Tong</u></p>		<p>Docket Number (Optional) ATT/2000-0415</p> <p>In re Application of RUBIN</p> <table border="1"> <tr> <td>Application Number <u>09/682,526</u></td> <td>Filed <u>September 14, 2001</u></td> </tr> <tr> <td colspan="2">For METHOD FOR SECURE REMOTE BACKUP</td> </tr> <tr> <td>Art Unit <u>2131</u></td> <td>Examiner <u>Arezoo Sherkat</u></td> </tr> </table> <p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) Please note that a Notice of Appeal was filed on February 17, 2006 with the associated Notice of Appeal Fee. Additionally, an Appeal Brief was filed on April 17, 2006 with the associated Appeal Brief Fee. Appellant believes that these previously paid fees will be applied to the new appeal. However, if the appeal fees have increased since they were previously paid, the USPTO is authorized to charge the deposit account listed below for the difference in fees or any appeal fees that may be required. <u>\$.00</u></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ _____</u></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>20-0782</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>39,400</u>.</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>_____</u></p> <p>Signature </p> <p>KIN-WAH TONG Typed or printed name</p> <p>(732) 530-8404 Telephone number</p> <p>October 13, 2006 Date</p>	Application Number <u>09/682,526</u>	Filed <u>September 14, 2001</u>	For METHOD FOR SECURE REMOTE BACKUP		Art Unit <u>2131</u>	Examiner <u>Arezoo Sherkat</u>
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NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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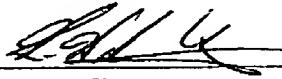
to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,

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